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CHRISTIAN
TELEVISION
NETWORKS

06-121

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Room 8-B201
Washington, D.C. 20554

Dear Chairman Martin:


On behalf of Religious Voices in Broadcasting, I would like to thank you for giving me the opportunity to testify before you during your hearing on media ownership in Nashville, Tennessee, on December 11th (please find attached a copy of my testimony from the hearing). As you know, our stations provide our communities with unique quality programming that is faith-based and locally tailored.

The single most important issue facing all independently owned stations is multicast must-carry/anti-stripping. Without multicast must-carry/anti-stripping in digital television, smaller stations will struggle and local viewers may eventually lose access to valuable community oriented programs. Multicast must-carry/anti-stripping will help ensure that the digital transition does not unduly burden non-major network affiliated broadcasters into extinction and that family-friendly, religious, and community-focused programming is preserved.

We are confident that with your leadership we can guarantee a place in the digital television landscape for small, independent and religious broadcasters. I would like the opportunity to meet with you personally to further discuss this issue and will contact you soon on your availability.

On behalf of our stations and our many loyal viewers, thank you again for your time and consideration of this important matter.

Sincerely,


Bob D'Andrea, President
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Good afternoon, Chairman Martin, Commissioners Tate, Copps, Adelstein and McDowell and thank you for the opportunity to testify before you. My name is Bob D'Andrea and I am Founder and President of Christian Television Network with locally operated commercial stations across the country, including WHTN TV 39 here in Nashville, Tennessee which has been broadcasting since June of 1986 and WVLR TV 48 in Knoxville, Tennessee.

I am here today representing both CTN and Religious Voices in Broadcasting, also known as RVB, a coalition of full-power religious broadcasters and networks who focus on children's programming, family-friendly, and community-oriented programming. RVB is comprised of the nation's largest religious broadcast networks and many small and independent religious broadcasters in Tennessee and across the country. All of our members are independent broadcast stations that are carried on cable as a result of the original must-carry provision established in the Cable Television Consumer Protection and Competition Act of 1992.

Anti-stripping is actually a concept embodied in the 1992 Cable Act, which, in part, prevented cable operators from materially degrading a station's signal and required cable to carry a 6 MHz TV signal in its entirety. These provisions apply to both must-carry and retransmission consent stations. The anti-stripping concept is merely an extension of existing law.

While our group does not have a strong opinion on media ownership per say, we do encourage the Commission to provide opportunities and incentives for independents to be participants in the television marketplace. Therefore, our perspective on ownership focuses on providing opportunities in the digital television industry for small and independent broadcasters. Major network affiliated broadcasters, including their commonly owned secondary networks, have a distinct advantage in developing digital television business and programming plans because they can capitalize on advanced technology with the understanding that cable operators will carry any new programming streams that they develop. Greater integration among the big multi-media companies exists today than before the 1992 Cable Act, which makes initiatives such as anti-stripping increasingly important to preserve the government and public interests of ensuring the public receives television information from a multiplicity of editorially independent sources and of promoting fair competition in the television programming market. Regardless of our extensive record of public service and community support, independent full power stations will continue to be denied carriage of our multiple digital signals in the absence of anti-stripping, leading to a deterioration of our stations in digital television. The public interest is not served by the federal government advancing policy that fosters a hostile environment for independent owners of broadcasting properties. There will be a few ultra large cable companies and they will carry all the programming and will dictate to customers what they will watch. They are already in our area doing a news channel 24/7, and sports channel 24/7, travel news channel and Spanish news channel 24/7 on demand TV using 335 channels.

This is especially important given that RVB stations provide the type of family-friendly, children's, and community focused programming that Congress intended to preserve in the 1992 Cable Act and the 1996 Telecommunications Act thru their specific references to broadcast carriage requirements. Often violent, profane, indecent and pornographic programming has inundated cable-only channels. Our stations not only air faith-based and evangelical programming, but also provide diverse programming in the forms of children's programming, local sports, civic and political, Spanish and foreign language and shows highlighting our local communities. For example, *Bridges* is a locally produced daily 30 minute program on Nashville's WHTN TV 39 hosted by Monica Schmelter, General Manager of the station, which features many guests that are from the Middle Tennessee area, including authors, pastors, spiritual leaders, and musical artists. Frequent topics focus on spiritual growth and development, parenting, health and fitness, and music ministry all commercial free. These programs are also shown in Knoxville, Tallahassee, Macon, Ga., and Cedar Rapids. *Pulse TV* is a weekly 30-minute program geared to teens and young adults which features contemporary Christian music videos. There is also a movie review segment and a segment that includes a Bible devotion led by a local youth pastor. Also, *Nutritional Living*, a 30 minute daily program, discusses health and wellness issues. There are a variety of guests on this program – everything from medical doctors to nutritionists to personal testimony and stories. WHTN also locally produces *Underground*, a weekly 30-minute broadcast geared to a younger audience that features Christian urban hip-hop artists. These artists tell their stories and discuss topics relevant to young people from a biblical point of view.

RVB members are active participants in our local churches, community, youth and civic organizations, interacting daily with many people who provide us valuable, unfiltered ideas that help us best reflect their local viewing preferences. This gives us a unique perspective and first hand knowledge of the issues and information important to our viewers. The original intent of must-carry in the 1992 Cable Act was to ensure that small, independent and non-major media affiliated broadcasters would continue to provide valuable diversity of programming to our nation. Anti-stripping and retransmission consent started out to help cable companies get started. Programming on cable began with only retransmitted broadcast TV fare was very dependant upon the FCC regulatory treatment to get started. We, as broadcasters, have over 1450 pages of FCC regulations to follow. In The first must-carry "rules" were devised to subsidize the small fledgling cable companies. As we transition to digital television, anti-stripping is vital to small, independent, minority and religious broadcasters maintain their voices and allow them to continue serving niche markets with their diverse local and community-focused programming.

Creating a regulatory environment that gives small and local broadcasters the opportunity to maintain our relatively proportionate voice in digital television thru anti-stripping preserves a basic tenant of American communication policy—promoting widespread dissemination of information from a multiplicity of sources. Our stations are struggling with the burden of developing digital programming plans in an uncertain regulatory environment, while simultaneously financing the costs of an unfunded, federally mandated digital build-out and anti-stripping is the foundation to our viability. In

Nashville alone we spent over 2 million dollars going digital, mandated by law and during the transition over \$20,000 per month on-going. Without an anti-stripping regulation, the financial burdens imposed by the digital television transition will perpetuate the loss of independent media voices and a diversity of viewpoints.

The mission of independent and particularly religious broadcasters is unique. RVB members are not driven by profit. Our success is measured by the positive impact we have on our local communities and viewing audience, and we will continually resist compromising programming choices aimed at serving our loyal constituencies. However, small and independent stations with limited resources will not survive a digital transition that imposes severe financial burdens without public policy that gives us the opportunity to remain viable, which includes anti-stripping. Some of our stations simply cannot survive in a digital television world where the federal government places us at a non-functional competitive disadvantage. Should anti-stripping not be enacted in the near future, America will permanently lose valuable independent television voices—and these stations will never be part of the television landscape again.

RVB is proud of the programming we offer. We are all excited about the possibilities of a digital television world and will continue to work to better serve our communities with programming chosen and developed for the specific needs of our local viewers. However, the challenges of the digital transition have caused some broadcasters to sell their stations, and others will falter because of financial difficulties associated with the uncertainty of digital carriage requirements. Anti-stripping is the single most important issue facing all independent and RVB stations as we plan for future broadcast operations in digital television. This issue is more important than any other including ownership regulation or deregulation and we would ask the Commission and Congress to focus your efforts where they make the most sense to accomplish your goals of promoting a multiplicity of editorial sources and diversity of programming in the television marketplace. I believe you all understand the significance of the contributions our stations make to the communities they serve. Therefore, we encourage the rest of the Commission to follow Chairman Martin's lead and ensure that opportunities will exist for all levels of players in television, including small, independent, religious and minority broadcasters, through the affirmation of a anti-stripping mandate and similar other initiatives.

Anti-stripping has always been in the 1992 Cable Act and The FCC Rules and Regulations. The FCC has given us the spectrum for HDTV or multi-casting or a combination of both. Please let me explain – one spectrum with 4 or 5 channels of spectrum stream of 6 GHz leaves our antenna and the cable company strips our signal to only 1 set of programming. Anti-stripping is a very simple concept but not easy to explain.

Thank you and I remain at your service.